

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:  
PRAGATI VAIDYA**

§  
§

**Case No. 18-36401-H3-11  
(Chapter 11)**

**EXPEDITED MOTION FOR RELIEF FROM THE STAY REGARDING DIVORCE PROCEEDING**

**THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN JANUARY 9, 2019, AND YOU MUST ATTEND THE HEARING.**

**THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON JANUARY 16, 2019, AT 9:00 A.M. IN COURTROOM 401, 515 RUSK, HOUSTON, TEXAS 77002.**

**EXPEDITED RELIEF REQUESTED BY DECEMBER 17, 2018.**

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to proceed with a divorce in state court.
2. Movant: AMIT CHOUDHARY
3. Name of spouse: PRAGATI VAIDYA
4. If divorce case is pending, court and case number: Cause No. 2015-69153; In the 311th Judicial District Court of Harris County, Texas.
5. This motion seeks relief solely to allow the state court to issue judgments and orders concerning (i) support; and (ii) the division of exempt property.
6. Movant certifies that prior to filing this motion an attempt was made to confer with the non-moving spouse's counsel (or with the non-moving spouse, if *pro se*) either by telephone, by e-mail, or by facsimile by the following person on the following date and time: December 10, 2018 at 1:20 p.m. – Attempt made via telephone An agreement could not be reached.
7. Movant and Debtor have been involved in a contentious divorce proceeding in the 311th Judicial District Court of Harris County, Texas for the past three years. A two-week jury trial was held by the family court in September 2018. The family court rendered its judgment in the divorce matter on November 14, 2018, one day after Debtor filed this bankruptcy proceeding. At no time prior to the court's rendition did the Debtor inform the family court, her divorce counsel, or Movant's divorce counsel that a bankruptcy had been filed.
8. The presiding judge in the 311th Judicial District Court will be stepping down from the bench as of December 31, 2018. It is imperative that Movant be able to enter a Final Decree of Divorce pursuant to the jury's verdict prior to the end of the year.

Date: December 12, 2018

/s/ Liza A. Greene

Movant's counsel signature

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**Certificate of Service and Certificate of Compliance with BLR 4001**

A copy of this motion was served on the persons shown on exhibit “1” at the addresses reflected on that exhibit on December 12, 2018, by prepaid United States first class mail. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/ Liza A. Greene

Liza A. Greene, Movant’s counsel